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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

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THE PEOPLE,

Plaintiff and Respondent,

v.

BONG VANG,

Defendant and Appellant.

C058879

(Super. Ct. No. 07F10532)

A jury found defendant Bong Vang guilty of possession of methamphetamine; possession of MDMA, commonly called ecstasy; and transportation of both substances.

In a bifurcated proceeding, the trial court found that defendant had served two prior prison terms and had one strike.

The trial court sentenced defendant to a state prison term of eight years (three-year midterm on the transportation count, doubled under three strikes, and two consecutive one-year terms for the prior prison term enhancements, with sentence on the other counts, stayed pursuant to Penal Code section 654).

Thereafter, the court recalled defendant's sentence and

resentenced him to a six-year prison term (imposing the two-year low term on the transportation count rather than the three-year midterm).

The evidence at trial showed that on November 7, 2007, at about 2:00 a.m., Sacramento police officers saw someone throw a lighted cigarette out of the passenger side window of a car driven by defendant, a Vehicle Code violation. When the officers made a traffic stop of defendant's car, defendant told them he was on parole. The officers searched him and found a small baggie in his pants pocket which contained a white crystalline substance later determined to be methamphetamine. After defendant was arrested and transported to jail, the officers discovered a pill in his wallet which turned out to be MDMA.

Defendant filed a timely notice of appeal.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

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ROBIE, J.

We concur:

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BLEASE, Acting P. J.

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HULL, J.